

Chilton, Wisconsin
March 3, 2020

The regular meeting of the Chilton Common Council held in the Council Chambers at the City Hall was called to order at 6:30 p.m. with Mayor Jaeckels presiding.

AGENDA POSTING:

On 2/28/2020, copies of the agenda were delivered to the Mayor, Aldermen, City Department Heads, City Attorney and were made available to the media, and posted on the City Hall bulletin board and posted on the City web page.

ROLL CALL:

Mayor Rick Jaeckels and six members of the Council were present at roll call:

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|--------------------------------|---------------------------------|
| Council Member Tom Reinl | Council Member Mike Goebel |
| Council Member Ron Gruett | Council Member Clayton Thornber |
| Council Member Kathy Schmitzer | Council Member Mark Willems |
| Council Member Andrew Deehr | Council Member Kevin Johnson |

Other city officials present were Building and Plumbing Inspector Paul Birschbach, Police Captain Jason Kvalheim, Interim Utility & Street Department Director Chris Marx, City Attorney Derek McDermott and Deputy City Clerk Lisa Meyer.

General attendance: Delta Publications Dave Kohls and Chilton Journal Faye Burg. Henry Veleker from Integrated Public Resources, Greg Kubichka, Peggy Loose, Glenny Whitcomb, Rebecca Barry, Judy Thiel, Eric Bunnell, John Bodinger, Troy Duchow, Travis Boll, Robert Moehn, Tim Keuler, Steve Petrie, Jason and Angeline Heiberger, McKinzie Kramarczyk and James Manz.

Those in attendance recited the Pledge of Allegiance.

APPROVE THE MINUTES:

Motion by Willems, seconded by Gruett and carried to approve the minutes of the council meeting held on February 18, 2020.

REPORT OF OFFICERS:

MAYOR:

The Mayor has been busy attending various committee meetings.

DEPUTY CITY CLERK:

- Annual dog licenses are due March 31st.
- The annual open book process begins April 2 thru April 9, 2020 and appointments to meet with the assessor are from 4-6 PM on April 9, 2020. Board of Review is scheduled for May 4, 2020 from 8:15 AM to 10:15 AM.

APPROVE FINANCIAL REPORT:

Moved by Thornber, seconded by Reinl and carried to accept the March 1, 2020 financial report.

APPROVE LIQUOR LICENSE:

Moved by Gruett, seconded by Schmitzer to approve a “Class B” picnic license for Chilton Lions Club for “Beerfest” May 17, 2020. Person in charge, Chris Sattler.

INTERIM UTILITY & STREET DEPARTMENT DIRECTOR

- ✦ North State Street utility reconstruction will begin Monday March 9, 2020. The road will be closed and a detour map has been given to the school district and is posted on the City’s website.
- ✦ Bid opening for the construction phase of North State Street was held on Friday, February 20, 2020 and rough estimates were distributed to the council to review.
- ✦ The water department is working on meter changes and cross connection inspections with the help of employees from the street department.
- ✦ The diesel tank at the wastewater generator is not working properly. Biodiesel bacteria has been found in the diesel tank and the biofilm is clogging the filters which stops the engine from running. A company out of Sauk City will drain the tank and clean it out.

AUDIENCE PARTICIPATION:

Angeline Heiberger addressed the council regarding inconsistencies with Library Board policies of censoring comments on social media yet obscene children’s books can remain on library book shelves.

In the fall of 2019, the Library Board voted against removing a children’s book that contained graphic pictures of sexuality from the youth non-fiction section of the library, yet they censor comments on social media and remove posts that are not appropriate.

The Mayor thanked Mrs. Heiberger for voicing her concerns but the Library is governed by the Library Board and the Council has no authority.

MOVED TO NEW BUSINESS:

Paul Birschbach conveyed the 2019 annual building and plumbing information. Four new homes, 92 residential home improvements, 16 accessory buildings, 19 commercial building improvements, 5 industrial building improvements and 43 misc. permits. Total building permits in 2019 – 179 for a value of \$12,522,751.72 compared to 2018 a total of 211 permits and a total value of \$10,915,753.16.

MOVED TO UNFINISHED BUSINESS:

Henry Veleker from Integrated Public Resources (IPR) was present to review his research regarding the organizational review he completed.

He submitted an Organizational Analysis/Review and copies of the reports were given to the council members to review.

The approach used by IPR for the City’s review consisted of three elements; review of

city ordinances and policies, interviews with city employees and review of comparable communities.

Mr. Veleker's recommendations were to:

Promote the current Interim Director of Public Works to the permanent Director's position with a probationary period and adjust the salary according to comparable communities.

Appoint the Deputy City Clerk/Treasurer as Interim Clerk/Treasurer during the transition to fill the clerk position and adjust the salary accordingly.

Recommend the Administrative Assistant-DPW pay be temporarily increased during the transition.

The report also gave the Council options to consider with filling the vacancy.

Option 1: Do not change the current Clerk/Treasurer/Administrative Coordinator position.

Option 2: Amend the position duties and advertise for a City Administrator/Clerk/Treasurer position.

Jason and Angeline Heiberger exited the council chambers at 7:39 P.M.

Moved by Reinl, seconded by Deeher to accept the Proposal for Professional Interim Services from IPR with Henry Veleker to provide Interim Management Services for the City. Roll call vote.

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| Gruett – aye | Willems – aye | Reinl – aye | Thornber – aye |
| Schmitzer – aye | Goebel – aye | Deeher – aye | Johnson - aye |

Eight votes cast. Eight votes aye. Motion carried.

Moved by Willems, seconded by Reinl to appoint Lisa Meyer as Interim City Clerk/Treasurer. Roll call vote.

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|-----------------|---------------|--------------|----------------|
| Gruett – aye | Willems – aye | Reinl – aye | Thornber – aye |
| Schmitzer – aye | Goebel – aye | Deeher – aye | Johnson - aye |

Eight votes cast. Eight votes aye. Motion carried.

Birschbach, Duchow and Bunnell exited the council chambers at 8:03 P.M.

REPORT OF COMMITTEES:

Alderman Willems reported on the Culture and Recreation committee meeting on February 17, 2020.

Street Dept. Leadman Boll acquired three quotes for a PA system for use at Klinkner Park for the Memorial Day Service. The quotes are:

Pixel Pro Audio - \$1,054.71

Guitar Center Inc. - \$1,434.29

Heid Music - \$1,493.88

The committee reviewed the quotes in detail and determined at the August 2019 committee meeting that three speakers with stands, a cordless microphone and an

amplifier are needed. The American Legion, VFW and Disabled American Veterans would provide donations to assist with the project.

Moved by Willems, seconded by Thornber to accept the quote from Heid Music for \$1,493.88. Roll call vote.

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|-----------------|---------------|-------------|----------------|
| Gruett – aye | Willems – aye | Reinl – aye | Thornber – aye |
| Schmitzer – aye | Goebel – aye | Deehr – aye | Johnson – aye |

Eight votes cast. Eight votes aye. Motion carried.

Greg Kubichka submitted a proposal from Delightfully Calumet for the 2020 light show requesting the City of Chilton to allow the following items:

- Hobart Park usage from November 1, 2020 to December 31, 2020. The event would be held on Friday, Saturday and Sundays from 5 PM to 9 PM the month of December.
- Request that the park would be closed from November 1, 2020 to December 31, 2020 to avoid vandalism.
- Allow set-up of a snow fence to block park access and waive the variance to close the public road.
- Request that City of Chilton would pay up to \$150.00 for electrical costs.
- Request to use Hobart Park pavilion, band shell and VFW concession stand and Hobart field baseball area outlets for electrical hook-ups.
- Request City to plow and salt the roadways the month of December.
- Request to put up a 2 ft. by 20 ft. banner at the corner of Madison & Chestnut Street.
- Request to put up 2 ft. by 4 ft. signs advertising the event at Hobart and Klinkner Parks and Hillside Cemetery from September 1, 2020 through December 31, 2020.

Moved by Reinl, seconded by Thornber and carried to approve the request from Delightfully Calumet and require that Hobart Park be cleaned up by May 1st.

Alderman Thornber reported on the Public Works Committee meeting on February 24, 2020.

Cindy Schwarz requested to place a memorial bench on City of Chilton property near City Hall in memory of her husband, Todd Schwarz, who served as Director of Public Works. Schwarz submitted two possible choices for the location of the bench:

Motion by Reinl, seconded by Willems and carried to approve the placement of a memorial bench for Todd Schwarz in front of City Hall facing the sidewalk alongside a Cleveland Select Pear tree. Motion carried.

McKinzie Kramarczyk, property owner of 228 Saratoga Street, submitted a note stating she disagreed with snow removal invoice #5843 totaling \$46.25 for 74 feet of snow removal on Saratoga Street by the City on 1/27/2020 at 3:35 p.m.

Interim Utility and Street Department Director Chris Marx seemed to question which picture was the “before” picture when showing them to her.

Motion by Willems, seconded by Gruett and carried to write off Invoice #5843 sent to 228 Saratoga Street in the amount of \$46.25 on the basis that there was not enough evidence to contradict the citizen’s contention that she made an initial clearing of the

sidewalk for lack of a quality “before” picture taken by City staff.

The following quotes were received for a piece of excavation equipment known as a trench box:

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|---|------------|
| Kelbe Brothers Equipment | \$6,920.00 |
| Wisconsin Shoring & Supply, Cottage Grove, WI | \$8,140.00 |
| Lee Jensen Sales Co., Crystal Lake, IL | \$9,990.00 |

The City is requesting to purchase a 6 X 8 trench box with 2-six foot panels and spreaders. Any one of the pieces of the trench box can be handled by two people. The City currently does not own a trench box; however had leased a large machine and trench box in the past. Trench boxes are required for safety reasons if the trench is 4 feet deep or deeper.

The purchase of the trench box would be a shared billing between the water and sewer departments.

Motion by Reinl, seconded by Johnson to approve the quote for a trench box from Wisconsin Shoring and Supply in the amount of \$8,140.00. Roll call vote.

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| Gruett – aye | Willems – aye | Reinl – aye | Thornber – aye |
| Schmitzer – aye | Goebel – aye | Deehr – aye | Johnson – aye |

Eight votes cast. Eight votes aye. Motion carried.

Strand Associates submitted a proposal to provide engineering services for Phosphorus Compliance Studies and Operations and Needs Review for the wastewater treatment plant. The Agreement was entered into on July 31, 2017 by Strand Associates and the City of Chilton. Marx, Interim Utility and Street Department Director, said as of last fall the contract was not yet fulfilled and \$8,000.00 from the contract was taken out and allocated elsewhere for fixing computer problems at the wastewater treatment plant. The rest of the services that were part of the initial Agreement are due per the City’s wastewater discharge permit. Strand submitted a proposal dated February 12, 2020 to complete the Phosphorus Compliance Services work from the original Agreement dated July 31, 2017.

Motion by Thornber, seconded by Goebel to approve the proposal from Strand Associates dated February 12, 2020 to complete the Phosphorus Compliance Services work for the wastewater treatment plant in an amount not to exceed \$8,400.00. Roll call vote.

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| Gruett – aye | Willems – aye | Reinl – aye | Thornber – aye |
| Schmitzer – aye | Goebel – aye | Deehr – aye | Johnson – aye |

Eight votes cast. Eight votes aye. Motion carried.

Interim Utility and Street Department Director Chris Marx said in 2019 Strand Associates and the City of Chilton entered into an Agreement for \$5,000.00, based on time and material, for ongoing computer support at the wastewater treatment plant. The City allocated this money along with \$8,000.00 from the Strand Phosphorus Compliance Services original contract to pay for fixing computer problems at the wastewater treatment plant.

Strand Associates submitted Amendment No. 1 to the original Agreement dated April 12, 2019 for ongoing computer support at the wastewater treatment plant.

Amendment No. 1 changes Compensation from \$5,000 to \$12,000 and the timeframe of the contract from December 31, 2019 - December 31, 2020 to December 31, 2020 - December 31, 2021.

Motion by Reinl, seconded by Willems to change compensation on the contract with Strand Associates from \$5,000.00 to \$12,000.00 and the timeframe on the contract to end December 31, 2021 rather than December 31, 2020. Roll call vote.

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| Gruett – aye | Willems – aye | Reinl – aye | Thornber – aye |
| Schmitzer – aye | Goebel – aye | Deehr – aye | Johnson – aye |

Eight votes cast. Eight votes aye. Motion carried.

Thornber said the City budgeted \$25,000 for the purchase of a pick-up truck for the Street Department to replace the 2004 ¾-ton pick-up. Interim Utility and Street Department Director Marx said the department could get by with a ½-ton pick-up but would prefer a 4WD.

Three quotes were received for a new 2020 Truck from Vande Hey Brantmeier Automotive-Central Garage, Inc., Chilton, Wisconsin:

Optional Accessory:

Kraus Snowplows and Equipment, New Holstein, WI – Tailgate Lift \$2,850.00

Motion by Reinl, seconded by Johnson to approve the quote from Vande Brantmeier – Central Garage for the 2020 Dodge Ram 1500 4 WD Truck in the amount of \$22,699.00 and the tailgate lift from Kraus Snowplows and Equipment in the amount of \$2,850.00. The additional money needed for the purchases should be taken from non-lapsing funds Account – Street Machinery Operations – Capital Equipment #53240-821. The City should sell the 2004 Chevrolet 2500 Truck at the discretion of the Interim Utility and Street Department Director with the money going back into the non-lapsing funds. Roll call vote.

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| Gruett – aye | Willems – aye | Reinl – aye | Thornber – aye |
| Schmitzer – aye | Goebel – aye | Deehr – aye | Johnson – aye |

Eight votes cast. Eight votes aye. Motion carried.

Kramarczyk exited the council chambers at 8:18 P.M.

McMahon submitted a proposal to provide an evaluation of Well #8 Water Reservoir, located at the corner of Irish Road/CTY Y, to comply with WDNR 5 year inspection requirements.

Motion by Willems, seconded by Reinl to approve the proposal from McMahon Engineers in the amount of \$1,750.00 for the inspection of Well #8 Water Reservoir upon the City draining it. Roll call vote.

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| Gruett – aye | Willems – aye | Reinl – aye | Thornber – aye |
| Schmitzer – aye | Goebel – aye | Deehr – aye | Johnson – aye |

Eight votes cast. Eight votes aye. Motion carried.

Marx, Interim Utility and Street Department Director, explained that last August a ninth Public Works employee was added to the staff, however with the passing of Director of Public Works Todd Schwarz, Marx said he moved to the Interim position and out of the Public Works labor pool so now the department is back to eight employees. This week Marx utilized two employees from the street department to help in the water department with labor-intensive activities such as changing water meters and cleaning sewers. Training requires a full week of classes plus three additional days for training and a test for water certifications. Wastewater certifications require more training. In the past when an employee took the classes and passed the test they also got an increase in pay even if they primarily were working in the street department. If they became certified, they received the increase in pay. According to Marx this is a way to start training the employees we already have and it is a better way to utilize the entire yearly pool of labor hours. There will be an expense to the City with the increase in pay for one or two employees. Thornber asked if the employees would be paid the increased amount all of the time or only when they were assigned to water or sewer. Marx said in the past if the employee obtained the certifications they were paid the increased amount all of the time. Marx recommended cross training up to two employees and said he would ask for volunteers starting with the employee with the most seniority.

Motion by Reinl, seconded by Willems to have one or two employees cross trained in the water department from the street department and follow the wage benefits schedule for Department of Public Works employees. Roll call vote.

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| Gruett – aye | Willems – aye | Reinl – aye | Thornber – aye |
| Schmitzer – aye | Goebel – aye | Deehr – aye | Johnson – aye |

Eight votes cast. Eight votes aye. Motion carried.

Alderman Schmitzer reported on the February 26, 2020 General Government meeting.

The City received quotes for computer equipment and IT services from four companies: Milwaukee PC, Pros4 Technology, Integrated Solutions Inc. and Heartland Business Systems.

Representative from the four companies gave an overview of their proposal at the committee meeting.

Pros4 mentioned in their proposal that the Police Department needs to have their own server, which is required by the FBI Criminal Justice Information Service Division. The committee requested Heartland re-submit a proposal with a separate server for the police department and include monthly fees for IT support.

The committee could not agree on a company so they moved to have the council review the proposals and make a decision.

Motion by Willems to take it back to the committee to review the proposals. Since no second, motion failed.

A lengthy discussion followed regarding the yearly fees for IT support and where will the

money come from for the services, the need for a company with municipal experience and the need to be proactive to avoid ransomware or malware.

Motion by Goebel, seconded by Schmitzer to accept the quote from Pros4.

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| Gruett – no | Willems – no | Reinl – no | Thornber – no |
| Schmitzer – aye | Goebel– aye | Deehr – no | Johnson - no |

Eight votes cast. Two votes aye. Motion failed.

Interim Utility and Street Department Director Chris Marx explained there is an unwritten policy that City employees (i.e. Fire, Police, Water, Sewer and Street) utilize the City garage and equipment after hours for personal use.

Marx said Clerk Schmidlkofer inquired with the City's insurance carrier regarding if an employee is not working and an accident would happen or occur after hours at the City garage using the vehicle lift (i.e. example of equipment used) and someone were injured that is NOT considered a workmen's compensation claim. The City's does have \$10,000.00 general liability coverage and after that, their health insurance would cover. The committee agreed that City employees should not be allowed to utilize the City garage and equipment after hours for personal use.

Moved by Thornber, seconded by Reinl and carried to amend the personnel policy regarding personal usage of City property.

Bodinger exited the council chambers at 8:45 P.M.

Mike Hill, Sr. Government Affairs Manager with Charter inquired about the status of an old access channel 982. Hill said, "This channel has been dark for some time now and Charter would like to reclaim the channel space if this channel is no longer used and programmed by the City. It has since gone dark and we are in the process of cleaning up our channel line-ups and want to reclaim that channel for general-purpose use. This has been a common theme across the state in communities who once programmed access channels. The communities have moved on to web based information options and dropped the linear channel programming. Charter has reclaimed well over 50 in the past 2 years. The old local franchises provided for these channels years ago and we have continued to provide space as needed for those that are still active. We transitioned to a state level franchise back in February of 2008. There is still language for access channels if a community wants to provide that service but there is a programming mandate that the channel must provide so many hours of original programming each day, week, etc." The City would have to provide 40 hours or more of programming on the PEG channel each week.

Moved by Schmitzer, seconded by Thornber and carried to allow Spectrum to reprogram Channel 982.

Minutes of the February 11, 2020 CDBG CLOSE Economic Development Plan Advisory Committee meeting were distributed.

COMMUNICATIONS:

Distributed the monthly building/plumbing report.

APPROVE PAYMENT OF BILLS:

Moved by Thornber, seconded by Schmitzer to pay the bills. Voucher No. 85004 through Voucher No. 85060 or accounts payable and payrolls totaling \$219,708.37. Roll call vote.

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| Gruett – aye | Willems – aye | Reinl – aye | Thornber – aye |
| Schmitzer – aye | Goebel – aye | Deehr – aye | Johnson – aye |

Eight votes cast. Eight votes aye. Motion carried.

CLOSED SESSION:

Moved by Schmitzer, seconded by Johnson to go into closed session at 8:50 P.M. under WI Statute 19.85 (1) (c) to consider employment for Administrative Assistant Police Department and consider employment, promotion, compensation or performance evaluation data of Interim Clerk/Treasurer and any public employee over which the governmental body has jurisdiction or exercise responsibility and 19.95 (1) (e) investment of public funds. Roll call vote.

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| Gruett – aye | Willems – aye | Reinl – aye | Thornber – aye |
| Schmitzer – aye | Goebel – aye | Deehr – aye | Johnson – aye |

Eight votes cast. Eight votes aye. Motion carried.

Kohls, Burg, Barry, Whitcomb, Thiel, Kubichka, Petrie, Loose, Boll, Moehn and Manz exited the council chambers.

In closed session, the council reviewed the administrative assistant for the police department position, compensation for city employees and investment of public funds.

Marx, Keuler, Kvalheim and Meyer exited the council chambers at 9:15 P.M.

Moved by Reinl, seconded by Thornber to return to open session at 9:37 P.M.

Roll call vote.

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|-----------------|---------------|-------------|----------------|
| Gruett – aye | Willems – aye | Reinl – aye | Thornber – aye |
| Schmitzer – aye | Goebel – aye | Deehr – aye | Johnson – aye |

Eight votes cast. Eight votes aye. Motion carried.

Marx, Kvalheim, Meyer and Kohls re-entered the council chambers at 9:37 P.M.

Motion by Reinl, seconded by Goebel to direct Interim Utility and Street Department Director Marx to meet with landowners to negotiate a contract.

Moved by Reinl, seconded by Schmitzer and carried to approve the hiring of Jeri Lynn Christensen as the full-time Administrative Assistant for the Police Department contingent upon passing pre-employment testing.

Moved by Reinl, seconded by Schmitzer to offer the Interim Clerk/Treasurer a 20% wage increase. Roll call vote.

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| Gruett – aye | Willems – aye | Reinl – aye | Thornber – aye |
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| Schmitzer – aye | Goebel – aye | Deehr – aye | Johnson - aye |
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Eight votes cast. Eight votes aye. Motion carried.

ADJOURNMENT:

Moved by Johnson, seconded by Gruett to adjourn at 9:40 P.M. on March 4, 2020.

Motion carried.

Lisa Meyer
Deputy City Clerk